

duplex printing path through the printer.

18. (amended) The method of claim 17 wherein the sheet pickup mechanism (1) operates from a first operating position wherein said sheet pickup mechanism removes a sheet from a sheet dispensing tray and directs said sheet toward the printer, and (2) operates from a second operating position wherein said sheet pickup mechanism carries the sheet over a portion of a duplex printing path through the printer.
19. (original) The method of claim 17 wherein successive sheets of paper are introduced into the printer from a sheet dispensing tray, carried through a printer device and delivered to a sheet collection tray in a simplex printing operation.
20. (cancelled)

#### **REMARKS**

Applicant expresses appreciation to the Examiner for consideration of the subject patent application. This preliminary amendment is in response to the Office Action mailed December 12, 2003. Claims 1, 5-8 and 17-19 were rejected. Claims 4, 9-16, 20 were objected to. Claims 4, 9-16, 20 have been pursued in the original case and are canceled here. Claims 1, 5, 17 and 18 have been amended to correct lack of antecedent basis and to correct numbering problems. None of the amendments were substantial, nor made for the purpose of limitation. Claims 2, 3, 6-8 and 19 are unchanged. Claims 1-3, 5-8 and 17-19 remain in the case. Applicant respectfully traverses the rejections in the prior office action for the reasons given below.

#### **Introduction**

The present invention is directed to a multipath printer system that has the capability of duplex printing. Three media paths are provided for carrying a sheet of print media from a sheet pickup mechanism to the printer device, carrying the sheet from the printer device to a sheet exit opening and carrying the sheet from the exit opening back to the printer device. A sheet diverter has first and second operating positions to allow the sheet to pass in a first flow direction and to divert the sheet as it travels in a second flow direction. A sheet pickup mechanism has a first operating position to pick up the sheet from a dispensing tray and a second operating position to

serve as part of a duplex printing path when the sheet travels in the second flow direction toward the print device.

With respect to the sheet pickup mechanism described above in claim 1, by way of example, reference is made to Figures 1(a) and (b) and 2(a) and (b) showing the sheet pickup mechanism 58 in two distinctive operating positions. In the first operating position shown in Figures 1(a) and (b), the axle of the front roller 58B of mechanism 58 is lowered to a lower level 88 so that the belt 58A will come into contact with sheets in the dispensing tray. See page 9, line 18 through page 10, line 8. In the second operating position shown in Figures 2(a) and (b), the axle of the front roller 58B is substantially horizontal at level 88 with the rearward pickup roller axle 58C to convey the sheet to the printer device for duplex printing. See page 15, lines 25-32.

#### **Office Action - Claim Rejections - 35 U.S.C. § 102**

Claims 1, 5, 6, 17 and 18 were rejected on the basis of 35 U.S.C. Section 102(b) as being anticipated by Yoshikado et al. (US Patent No. 5,055,885). The Examiner pointed out that Yoshikado discloses a printer having a plurality of media paths that carry a sheet from a tray to a printer device and then to a sheet exit opening. The Examiner further pointed out that the Yoshikado discloses a media path that carries the sheet from the exit opening back to the printer device for duplex printing, and further stated that Yoshikado shows a diverter that allows the sheet to pass in a first flow direction and diverts the sheet in a second flow direction.

It should be noted, however, that Yoshikado does not show a sheet pickup mechanism having a first operating position that picks up the sheet from a dispensing tray and a second operating position wherein the sheet pickup mechanism serves as part of a duplex printing path for the sheet as it flows toward the printer, as described above. Rather, Yoshikado shows a roller 8 that functions as a pickup mechanism to pull sheets from tray 7, as shown in Figures 18 and 19. Figure 19 shows that this pickup function occurs by roller 8 rotating in a counterclockwise direction. Roller 8 also functions in precisely the same manner and position in forwarding a sheet to the printer for duplex printing, as shown in Figure 25. Roller 8 does not have a first operating position and a second operating position. It has only one position and one operation that is performed for both functions. Thus, claim 1 clearly distinguishes over the Yoshikado patent.

Claim 5 is dependent on claim 1 and provides more specific language regarding the diverter. Claim 6 is dependent on claim 1 and adds a sheet collection tray. Since claims 5 and 6 are dependent on claim 1, they distinguish over the Yoshikado patent for the reasons stated above and are therefore allowable.

Claim 17 is an independent method claim that includes, at step 6, positioning a sheet pickup mechanism in a first operating position for driving a sheet toward the printer and a second operating position for serving as a part of a duplex printing path. As mentioned above, Yoshikado does not disclose such a method. Rather, in Yoshikado a pickup mechanism is shown having only one operating position, as best seen in Figures 18, 19 and 25. Thus, claim 17 clearly distinguishes over the Yoshikado patent.

Claim 18 is dependent on claim 17 and provides more specificity regarding the pickup mechanism. Claim 19 is dependent on claim 17 and introduces the concepts of dispensing sheets from a dispensing tray and delivering the sheets to a collection tray. Since claim 18 is dependent on claim 17, it distinguishes over the Yoshikado patent for the reasons stated above and is therefore allowable.

#### **Office Action - Claim Rejections - 35 U.S.C. § 103**

Claims 7 and 8 were rejected on the basis of 35 U.S.C. Section 103(a) as being unpatentable over Yoshikado et al. (US Patent No. 5,055,885) in view of Yoshida et al. (US Patent No. 5,678,157). Yoshida was cited for concept of disclosing two sheet dispensing trays. Applicant respectfully submits that neither Yoshikado or Yoshida alone or together do not show a pickup mechanism having two operating positions as discussed above. Therefore, it is submitted that neither Yoshikado and Yoshida separately or together render the invention claimed in claim 1 obvious. Since claims 7 and 8 are dependent on claim 1, it is submitted that these two claims also are not rendered obvious by the combination of Yoshikado and Yoshida.

Claim 19 was rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshikado et al. (US Patent No. 5,055,885) in view of Nelson (US Patent No. 4,924,275). Nelson was cited for the concept of providing duplex printing by dispensing sheets from a dispensing tray and delivering the sheets to a collection tray. Since claim 19 is dependent on claim 17, it distinguishes over the Yoshikado patent for the reasons stated above. It is therefore submitted

that the combination of Yoshikado and Nelson do not disclose or render obvious claim 19. Thus, claim 19 is also allowable over these references.

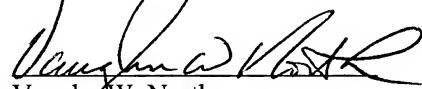
### CONCLUSION

In light of the above amendments and comments, Applicant respectfully submits that pending claims 1-3, 5-8, 17-19 are now in condition for allowance. Therefore, Applicant requests that the objections be withdrawn, and that the claims be allowed and passed to issue. If any impediment to the allowance of these claims remains after entry of this Amendment, the Examiner is strongly encouraged to call Vaughn North at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 08-2025.

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Respectfully submitted,



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